**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 8387 OF 2006**

M/s. Bharat Petroleum Corporation ] .. Petitioner

Versus

1. The State of Maharashtra & 6 ors. ] .. Respondents

Mr. S.R. Page for the petitioner.

Mrs. M.P. Thakur, AGP, for the respondents No.1 & 2.

**CORAM: S.B. MHASE, &**
**R.S. MOHITE, JJ.**

**DATED: 13TH APRIL, 2007**

**P.C. :**

. Heard.

2. Even though a depot of Bharat Petroleum Corporation Limited is located outside the Municipal limits, however, in order to transport oil and petroleum to the said depot, the oil and petroleum is required to be taken by the roads which are constructed by the Municipal Council and for the use of the said road facility and for the purposes of export of the goods from the Municipal limits, five paise per litre has been charged as export fee. We, therefore, find that there is a nexus of charging export fee with the service

rendered by the Municipal Council. Therefore, rightly the claim has been decided by the Chief Officer of the Manmad Municipal Council after giving a hearing to the petitioner.

3. No interference is called for. Petition is hereby rejected.

Sd/-
**[R.S. MOHITE, J.]**

Sd/-
**[S.B. MHASE, J.]**